

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	HPA Docket No. 16-0019
)	
JACK S. WAY, an individual,)	
)	
Respondent,)	
_____)	
In re:)	HPA Docket No. 15-0072
)	
JACK S. WAY, an individual,)	
)	
Respondent,)	
_____)	
In re:)	HPA Docket No. 17-0026
)	
JACK S. WAY, an individual,)	
)	
Respondent,)	
_____)	
In re:)	HPA Docket No. 17-0075
)	
JACK S. WAY, an individual,)	
)	
Respondent,)	
_____)	CONSENT DECISION AND ORDER

These four proceedings were instituted under the Horse Protection Act, as amended (15 U.S.C. § 1821 *et seq.*)(HPA or Act), by complaints filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, on February 10, 2015, October 22, 2015, December 23, 2016, and January 4, 2017, respectively, alleging that respondent violated the HPA. This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to these proceedings (7 C.F.R. § 1.138).

Respondent admits the jurisdictional allegations in the complaints and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations, waives oral hearing and further procedure, and consents and agrees to the entry of this decision for the purpose of settling these proceedings. The complainant agrees to the entry of this decision.

FINDINGS OF FACT

Jack S. Way is an individual whose mailing address is (b) (6)

(b) (6) At all times mentioned in the above-captioned complaints, Mr. Way was a “person” and an “exhibitor,” as those terms are defined in the regulations promulgated under the Act.

CONCLUSIONS OF LAW

Respondent having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.


ORDER


Respondent Jack S. Way is disqualified for five years, beginning January 15, 2017, and ending January 14, 2022, from showing, exhibiting, or entering any horse, directly or indirectly through any agent, employee, or other device, and from judging, managing or otherwise participating¹ in any horse show, horse exhibition, or horse sale or auction, directly or indirectly

¹As used herein, “participating” means engaging in any activity beyond that of a spectator, and includes, without limitation, transporting or arranging for the transportation of horses to or from equine events, personally giving instructions to exhibitors, being present in the warm-up or inspection areas, or in any area where spectators are not allowed, and financing the participation of others in equine events.


through any agent, employee, or other device.²

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.


Lauren E. Becker
Attorney for Complainant


Jack S. Way Thomas R. DeBary, Jr., Attorney for,
and on behalf of, Respondent Jack S. Way TRDJR

Done at Washington, D.C.,
this 10th day of January 2017


Channing D. Strother
Administrative Law Judge

²As used herein, “directly or indirectly through any agent, employee, or other device” includes, without limitation, acting through a surrogate in a manner that would circumvent the letter or the spirit of this consent decision and order, including, for example, transferring assets to a legal entity, affiliate or family member or otherwise continuing to participate in HPA-covered events through a legal entity, affiliate or family members, and the like.